

Statement made on November 12, 1953:

Before speaking in reply to the question raised yesterday regarding reservations, I would like to thank the Representative of Afghanistan for what is, in our view, a genuine and constructive effort to find some middle ground. We would like to be in a position to accept both these amendments and we can accept his first amendment. Unfortunately, we cannot accept the second amendment proposed by our Afghanistan colleague, for while preferable to the Egyptian proposal, it has the effect of reversing the earlier decision of the General Assembly contained in resolution 421 C (V). We cannot, for our part, support an amendment which has the effect of questioning the soundness of the earlier decision of the General Assembly, though we can naturally understand why the majority of this Committee may feel that the Afghanistan resolution offers a suitable compromise between the positions taken by Egypt, on the one hand, and Australia, India and Canada on the other.

The other reason why we cannot support the proposal is that, by reversing the earlier decision of the General Assembly and referring to this question for the decision of the Human Rights Commission, we would, in effect, be laying down our arms and surrendering unconditionally to the redoubtable Dr. Azmi. Dr. Azmi is a member, and a very influential member, of the Commission on Human Rights. Canada is not represented on that Commission. We would just as soon take our chance on being able to convince this Committee of the merits of our case, where both we and Dr. Azmi can meet face to face than to postpone the issue, - to refer it to the Human Rights Commission, and to leave it to Dr. Azmi in our absence to convince the Commission that the General Assembly's earlier resolution was wrong, and that a federal clause is unnecessary. For this reason, and with genuine thanks to our colleague from Afghanistan for this conciliatory effort, we must associate ourselves here with Dr. Azmi and others in opposing the second Afghanistan amendment.

I expect, of course, that my Egyptian colleague will instantly assume me that he has no intention of proposing that the reserve clause should be eliminated. The Government of Egypt may well be anxious to have a reserve clause for reasons which, in its view, are entirely justifiable. That may be equally true of every government represented around this table. But I would point out with great respect that on every occasion when the reserve clause is invoked by any state, it will by that very fact be diminishing and weakening that principle of universality and 100 per cent equality of obligations on which the representatives of Egypt and of Yugoslavia have laid such great emphasis. I will go further than that and state that every time a unitary state invokes the reserve clause, it will be deliberately refusing to accept an obligation laid down in the covenants which it is constitutionally perfectly capable of assuming but which it does not choose to assume for reasons of domestic policy. Those reasons of domestic policy may be understandable, but to use again the arguments of our Egyptian colleague, we inject